

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 6, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-25266 - APPLICANT/OWNER: HCN ACCESS LAS VEGAS I, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the conditions for Rezoning (VAR-19208) and Site Development Plan Review (SDR-18870) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/23/07, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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SDR-25266 - Conditions Page Two
December 6, 2007 - Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-18870, the Montecito Lifestyles Center commercial subdivision and all other site-related actions.

SDR-25266 - Staff Report Page One
December 6, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an application request for a Major Amendment to an existing Site Development Plan Review (SDR-18870) for a 120,000 square-foot, six-story office building on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on 11/05/98. |
| 12/19/01 | The City Council approved a request for a Site Development Plan Review [Z-0076-98(24)] for a proposed 361,560 square-foot retail commercial center on 38.78 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval 11/01/01. |
| 02/06/02 | The City Council approved a request for a Master Sign Plan (MSP-0013-01) for the Montecito Town Center on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on 12/20/01. |
| 03/06/02 | The City Council approved a request for a Development Agreement (DA-0002-01) to establish a set of development standards for portions of the UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) land use districts within the Town Center Zoning District on 172.46 acres of property generally located north of Centennial Parkway, west of Durango Drive, south of Elkhorn Road, and east of El Capitan Way. The Planning Commission recommended approval on 01/10/02. |
| 03/14/02 | The Planning Commission approved a request for a Tentative Map (TM-0007-02) for one lot on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. This was a final action by the Planning Commission. |
| 08/23/02 | The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0076-98(34)] for a proposed 344,120 square-foot retail commercial center on 39.5 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. |

SDR-25266 - Staff Report Page Two
December 6, 2007 - Planning Commission Meeting

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| 08/06/03 | The City Council approved a request for a Site Development Plan Review (SDR-2478) and Special Use Permit (SUP-2478) for a 5,000 square-foot tavern adjacent to the south side of Deer Springs Way, approximately 500 feet east of Durango Drive. Planning Commission and staff recommended approval. The site was never built; therefore, the approval has expired. |
| 01/24/07 | A neighborhood meeting was held at the Centennial Academy at 6610 Grand Montecito Parkway at 6 PM to discuss Site Development Plan Review (SDR-18870) and no members of the public attended. |
| 03/07/07 | The City Council approved a Site Development Plan Review (SDR-18870) for a 150,000 square-foot, 12-story office building with a five level parking structure and a Waiver of Town Center Core Build-to-Line requirements and a Variance (VAR-19208) to allow a 196.5 foot high office building 382 feet from residential property where residential adjacency standards require 590 feet on 3.27 acres located at the southwest corner of Deer Springs Way and Riley. Planning Commission recommended approval and staff recommended denial. |
| <i>Pre-Application Meeting</i> | |
| 10/09/07 | A pre-application was held with the applicant. The applicant was informed that they would need to amend the approved Site Development Plan Review (SDR-18870). The applicant was also informed that the application would need to comply with Montecito Town Center, Town Center and Title 19 Development Standards. |

Details of Application Request

Site Area

| | |
|-----------|------|
| Net Acres | 3.27 |
|-----------|------|

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|---------------------------|--|------------------------|
| Subject Property | Undeveloped | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| North | Undeveloped | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| South | Commercial | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |
| East | Single Family Residential | MS-TC (Main Street Mixed Use - Town Center) | T-C (Town Center) |
| West | Restaurant/Bar | UC-TC (Urban Center Mixed Use - Town Center) | T-C (Town Center) |

SDR-25266 - Staff Report Page Three
December 6, 2007 - Planning Commission Meeting

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | | |
| T-C Town Center District | X | | Y |
| Montecito Town Center | X | | Y |
| Trails | | X | Y |
| Rural Preservation Overlay District | | X | Y |
| Development Impact Notification Assessment | X | | Y |
| Project of Regional Significance | X | | Y |

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards and Montecito Development Agreement Standards the following apply:

| <i>Standard</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|----------------------|-------------------------|----------------------|-------------------|
| Min. Lot Size | NA | NA | NA |
| Max. Site Coverage | 60% | 46% | Y |
| Min. Setbacks | | | |
| • Front | 0-15 Feet | 10 Feet | Y |
| • Side | 10 Feet | 13 Feet | Y |
| • Corner | 15 Feet | 15 Feet | Y |
| • Rear | 20 Feet | 85 Feet | Y |
| Max. Building Height | 500 Feet | 6 stories 98 feet | Y |
| Trash Enclosure | Yes | Yes | Y |
| Mech. Equipment | Yes | Yes | Y |

Pursuant to Town Center and Montecito Town Center Development Standards,, the following landscape standards apply:

| <i>Landscaping and Open Space Standards</i> | | | | |
|---|------------------------|--------------|-----------------|-------------------|
| <i>Standards</i> | <i>Required</i> | | <i>Provided</i> | <i>Compliance</i> |
| | <i>Ratio</i> | <i>Trees</i> | | |
| Parking Area | 1 Tree/6 Spaces | 12 Trees | 14 Trees | Y |
| Amenity Zone Buffer: | | | | |
| Min. Trees | 1 Tree/ 30 Linear Feet | 25 Trees | 28 Trees* | Y |
| TOTAL | | 27 Trees | 42 Trees* | Y |

* 73 total trees on-site.

SDR-25266 - Staff Report Page Four
December 6, 2007 - Planning Commission Meeting

| <i>Open Space – Montecito Town Center per 5.1.7</i> | | | | | |
|---|--------------------|-------------------------|--------------------|-----------------|-------------------|
| <i>Total Acreage</i> | <i>SF Required</i> | <i>Percent Required</i> | <i>SF Provided</i> | <i>Provided</i> | <i>Compliance</i> |
| 3.27 | 28,488 SF | 20% | 38,459 SF | 27% | Y |

Pursuant to Title 19.10, the following parking standards apply:

| Parking Requirement | | | | | | | |
|---------------------|-------------------------------------|---|---------|--------------|----------|--------------|------------|
| Use | Gross Floor Area or Number of Units | Required | | | Provided | | Compliance |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Medical | 100,000 SF | 1/200 up to 2,000 SF, plus 1 space for each addition 175 SF | 570 | 16 | | | |
| Office | 50,000 SF | 1/300 | 167 | | | | |
| SubTotal | | | 721 | 16 | 755 | 16 | Y |
| TOTAL | | | 737 | | 755 | | Y |
| Loading Spaces | | | 4 | | 4 | | Y |

ANALYSIS

This is an application request for a Major Amendment to an existing Site Development Plan Review (SDR-18870) for a 120,000 square-foot, six-story office building on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street. The previous Site Development Plan Review (SDR-18870) was for a 150,000 square-foot, 12-story office building with a five-level parking structure and a Waiver of Town Center Core Build-to-Line Requirements on 3.27 acres.

SDR-25266 - Staff Report Page Five
December 6, 2007 - Planning Commission Meeting

| | SDR-18870 | SDR-25266 |
|-------------------------|---|--|
| Building Square Footage | 150,000 SF | 120,000 SF |
| Height | 12 story – 196 feet | 6 story -98 Feet |
| Maximum Site Coverage | 46% | 58% |
| Elevations | The building is covered in three light brown precast panels, aluminum storefront with insulated tinted glazing, glass, and painted horizontal metal sunshade. | The colors proposed are light browns and reds. The materials used are granite, “Dryvit” (exterior wall finish system), tempered and spandrel glass, metal canopy, and pre-finished aluminum window wall frames with glazing (green glass). |
| Open Space | 27% | 25% |
| Parking Required | 737 | 628 |
| Parking Provided | 755 | 630 |

- **Zoning**

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use - Town Center) General Plan designation. While these designations have been applied through the Centennial Hills Sector Plan of the General Plan and are reflected in the Town Center Development Standards Manual, the UC-TC land use designation is superseded by the Montecito Town Center Master Development Plan, which designates that area as a portion of the “Montecito Town Center Mixed Use Commercial Area.” Where the Montecito Town Center Land Use and Design Standards are silent, the Town Center Development Standards Manual applies.

In addition, pursuant to section 3.3 of the Montecito Development Agreement:

Except as provided below, no standard or regulation regarding subdivision, land use, zoning, growth management, time and phasing of construction, or construction methods shall be imposed by the City upon the development of the Project, except those in effect on May 1, 2002, the effective date.

The proposed Medical and Professional Office uses are within the range of uses permitted within the Montecito Town Center Mixed Use Commercial Area designation.

SDR-25266 - Staff Report Page Six
December 6, 2007 - Planning Commission Meeting

- **Development Standards**

Development Standards for projects located within the Montecito Town Center Master Development Plan area are set out in the Development Agreement and Sections 3 through 5 of the Montecito Town Center Land Use and Design Standards Appendix to the Development Agreement. Development Standards within the remainder of the project are set forth in the Town Center Development Standards Manual. The following Development Standards are proposed for the subject project:

Montecito Town Center

The Montecito Development Agreement limits the amount of office, medical, retail and/or hotel floor area in Montecito Town Center to 4,520,833 square feet. The Montecito portion of the proposed project will bring the total of all existing and proposed office, medical, retail and hotel space to 2,264,494 square feet. The project stays well under the required caps.

The lot coverage standard is a maximum of 60 percent of the gross site area. The site plans indicate 58.8 percent coverage, based on net acreage. Given this figure, the gross lot coverage standard will be satisfied.

According to the Montecito Development Agreement, buildings within the plan area shall not exceed 500 feet in height. The Office building height is 98 feet and the parking structure is 38.75 feet. Both meet the height standard.

Service areas, docks and truck loading areas shall be screened and located away from public view. Trash enclosures shall be enclosed on three sides by a six-foot masonry wall, have an opaque gate on the fourth side, and contain a roof or trellis.

Building massing shall possess a balance and composition. Large, unarticulated building elevations, and undifferentiated walls shall be avoided. The building mass shows balance with articulated and differentiated wall composition.

Projects with over 20,000 square feet of building shall provide an on-site outdoor employee patio area which is separate and removed from the main building entry. On the east side of the office building, the applicant has allocated courtyard space to accommodate this condition.

SDR-25266 - Staff Report Page Seven
December 6, 2007 - Planning Commission Meeting

Town Center Development Standards

Setbacks are based on the standards for the Town Center Arterial street classifications as set forth in the Town Center Development Standards Manual. Setbacks within the Montecito Town Center Plan shall meet or exceed the standards shown in the Town Center Development Standards Manual. Deer Springs Way is designated a Town Center Arterial Street with a maximum setback of 15 feet. Riley Street is classified a Town Center Collector, with no required setback. This project meets the 15-foot maximum setback requirement for both Town Center and Montecito Town Center.

Stepback and build-to line requirements are set forth in the Town Center Development Standards Manual. Stepback requirements are intended to provide visually interesting building elevations, reduce street canyon effect, and lessen the effect of strong winds at the street level. The development encompasses the Town Center Urban Zone and Town Center Core areas as described in Section D.1.C. The office building is in the Town Center Urban Core Zone, which requires a stepback of eight feet. The proposed building meets the stepback requirements for high-rise buildings within the Town Center Urban Core Zone.

Town Center Build-to-Line Standards require up to 80 percent of the building edge within the Town Center Core Zone to be built to the setback lines. This encompasses 325 feet, or half of the proposed parcel. The eastern half of the parcel is in the Town Center Urban Core Zone and does not require a building to be built to the setback lines. The office building total feet built to the setback line is 125 feet, 38 percent build-to-line. The applicant had requested a Waiver of this standard in the previous Site Development Plan Review (SDR-18820), which was approved on 03/07/07. This staff report has included a condition of approval that requires compliance with all applicable conditions of the original Site Development Plan Review (SDR-18820).

Town Center Development Standards require walls on primary pedestrian routes to have a minimum of 70% clear glazing at ground level; glazing shall not exceed 75% of building elevation and dark tinted glass is prohibited. In addition, doorways, porticoes, or other entryways shall occur every 50 feet of building façade that fronts on a street or plaza area. The elevations and site plans demonstrate that the proposed development meets these standards.

Title 19 Standards

The applicant had requested a Variance (VAR-19208) to allow a 196.5 foot high office building 382 feet from residential property where residential adjacency standards require 590 feet, which was approved on 03/07/07. The new proposal is for a 98 foot high office building, which is less than approved Variance; therefore does not conflict with the previous approval. This staff report has included a condition of approval that requires compliance with all applicable conditions of the original Site Development Plan Review (SDR-18820).

SDR-25266 - Staff Report Page Eight
December 6, 2007 - Planning Commission Meeting

- **Site Plan**

The site plan illustrates a 120,000 square-foot office building and five-level parking structure with a subterranean level on a 3.27 acre parcel. The office building is situated in the western half of the parcel. An open parking lot to the west of the office building is accessed from a landscaped entrance plaza. A parking garage to the east of the office is accessed from a pedestrian courtyard.

The site plan depicts multiple driveway accesses to the open parking lot and the parking garage from internal circulation drives provided by the existing shopping center. No direct access is provided to Deer Springs Way or Riley Street from the parcel.

- **Landscape Plan**

Landscape standards in both Montecito Town Center and the entire Town Center area must conform to the standards set forth in the Town Center Development Standards Manual, except where special street designs are established. Deer Springs Way shall conform to Town Center Arterial landscaping standards, while Riley Street shall conform to Town Center Collector landscaping standards. Streets having a special design will have modified standards according to the submitted plans, if approved.

Landscape materials within the Montecito portion must adhere to the Montecito Town Center Plant Palette (Appendix B of the Standards). The applicant shows Mediterranean Fan Palm on their landscape plan. This is not permitted in the Montecito Town Center Standards Manual and a condition has been added to comply with the Montecito Town Center Standards Manual.

- **Elevation**

The proposed office building faces away from Deer Springs Way internally into the site. The office building portion of the project will be enclosed, except for the pedestrian area between the office building and the parking garage. The elevations depict a 98-foot high office building with walls stepped back eight feet per Town Center Development Standards.

The exterior of the office building varies in material and composition. The building uses canopies at the pedestrian level and fenestration, both textural and color, to breaking up the massing of the building. The colors proposed are light brown's and red's noted on the Elevation Plan as "Almond Latte" and "Revival Rose." The materials used are granite, "Dryvit" (exterior wall finish system), tempered and spandrel glass, metal canopy, and pre-finished aluminum window wall frames with glazing (green glass).

SDR-25266 - Staff Report Page Nine
December 6, 2007 - Planning Commission Meeting

- **Floor Plan**

Floor plans depict each level of the office floors. Office space, bathrooms, electrical and mechanical equipment are designated on each of the six stories.

FINDINGS

The following findings must be made for an SDR:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed six-story, 98-foot office building is compatible with the existing adjacent commercial and single-family residential development in the area.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development is consistent with the design requirements of the Montecito Town Center Master Development Plan and meets the design standards of Town Center.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The site is served by Deer Springs Way, an 80-foot Town Center Arterial, and Riley Street, an 80 foot Town Center Collector. Site access and circulation does not negatively impact adjacent roadways or neighborhood traffic.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

Building materials and colors meet the design requirements of the Montecito Town Center Master Development Plan and the Town Center Development Standards Manual.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The proposal is not unsightly, undesirable or obnoxious in appearance and is harmonious and compatible with development in the area.

SDR-25266 - Staff Report Page Ten
December 6, 2007 - Planning Commission Meeting

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed office building and parking garage will be subject to regular City inspections for licensing and will, therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 220

APPROVALS 1

PROTESTS 1